SECOND TOME

CASE

Of the Honourable

Mrs. WELD and her HUSBAND,

whom she Libelled for *IMPOTENCY*, &c.

CONTAINING,

I. Eighteen Letters written by Mr. W[illegible] to his WIFE, after their Marriage.

II. A Letter from Mrs. WELD to her Husband's Mother.

III. The Certificate of Three Surgeons, *Dickens*, *Williams*, *Small*, and *William*[illegible], in Behalf of Mr. WELD's *Virility*.

IV. The Certificate of *Three* Midwives, viz. *Elizabeth Fisher*, *Rebecca Hayes*, and *Mary Baker*, concerning the *Virginity* of Mrs. WELD.

V. The [illegible] upon the [illegible] Court of DELEGATES. And Dr. [illegible]'s Sentence at Large, which was fully confirmed.

VI. The ALLEGATIONS admitted, on the Behalf of both PARTIES, which perfect the whole Proceedings in this Cause.

Published by the Author of the former Proceedings (intitled the CASES of IMPOTENCY and VIRGINITY fully Discussed) JOHN CRAWFURD, LL. D.

LONDON,

Printed for W. MEARS, at the *Lamb*, on *Ludgate-Hill*. M.DCC.XXXIV.

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A SEQUEL TO THE CASE

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III. The Certificate of *Five* Surgeons, *viz.* Mr. Serjeant *Dickens*, *Claud. Amyand*, *William Chefelden*, *Alex. Small*, and *William Green*, in Behalf of Mr. WELD's *Virility*.

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V. The Proceedings upon the APPEAL in the Court of DELEGATES, And Dr. *Battesworth's* Sentence at Large; which was fully confirmed.

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THE CASE Stated.

EDWARD WELD, Esq; married the Honourable CATHERINE ELIZABETH, Daughter of the Lord *Aston*, *June* 22, 1727; *Ætat.* 22, the Lady 19. After his *Marriage*, he cohabited with his *Wife* at his own Seat, *Lulworth-Castle*, in the County of *Dorset*, till *June*, 1728, excepting one Month, wherein, being *indisposed*, she came to *London* for Advice. She goes to *Standon*, in the County of *Hertford*, the Seat of her Father, where, in *October* following, her *Husband* cohabited

habited with her about *a Month*; then left her, and returned to his own Seat, *Lulworth-Caſtle*, where he continued till *February*, 1728-9, and came back to his *Wife* at her Father's Seat, and ſtayed with her about *Three Weeks*. Left her there a ſecond Time, and went home to *Lulworth-Caſtle*, and continued there till the latter End of *May* following. Then returned to her again for *One Week*. After this they both came to *London*, and cohabited as Man and Wife for about *Five* or *Six* Weeks. After which Time Mr. *Weld* goes home to *Lulworth*, and ſtayed there till *November* following; Mrs. *Weld* goes to her Father's, where Mr. *Weld* and ſhe again cohabited for about *Three* or *Four* Weeks. He leaves her there; but *thinks*, in all this Time, that he did *once* or *twice* CARNALLY Know her *. Likewiſe,

* See his *Anſwer* to the *Libel.* Part I. p. 12.

ſe acknowledging *her* to be *Able*,
t, and *Fit* for the PROCREA-
ON of *Children*. Yet, farther
nfeſſes, that, for Relief of his
atural *Impotency*, he conſulted
r. *John Williams*, a Surgeon, who
viſed him to apply to Dr. *Mead*;
s, *he did not do*, but applied to
r. *Strother* concerning the ſame.
ſtly, he owns that he did de-
re to the Duke of *Norfolk* and
r. *Colclough*, that he had *not* Con-
mmated his Marriage; and that
Wife will not therefore any
ger cohabit with him. He urg-
to her, that, *Many married*
ple *had lived together like Brother*
Siſter *. But this Kind of
rimonial *Life* his Spouſe *juſtly*
iked, replying, *My Dear, we*
ht *not to live together after this*
mmer. All the Fair Sex will a-
e with Mrs. *Weld*, that a *married*
State

* See his *Anſwer* to her *Allegation*. Part I.
25.

State ought to be another *Manner* o
Life. However, we ſhall now
leave every Reader, Male and Fe
male, to judge, as they think pro
per, of this *un-conjugal* Conjunc
tion.

VALE

A SEQUEL TO THE CASE OF THE Honourable Mrs. WELD, &c.

INTRODUCTION.

HAVING upon OATH (made before the late Right Hon. and truly upright Judge, Sir *Robert Raymond*, Lord Chief Juſtice of his Majeſty's Court

of *King's-Bench*, on the 10th Day of *March* 17$\frac{3}{2}$) publiſhed all the *genuine Proceedings* I could then procure, in *a Cauſe depending in the Arches Court of* Canterbury, between the Hon. Mrs. WELD and her Huſband, whom ſhe libelled for IMPOTENCY. I now offer, according to my Promiſe, what was in that Tract omitted, *viz.* Nineteen LETTERS, which were ſent to the LADY by her HUSBAND, ſometime before ſhe commenced the Suit againſt him; as likewiſe one LETTER wrote by her to his MOTHER, which is here inſerted. And as the Abſtracts of the ſeveral DEPOSITIONS in the former Tract, made by *Matrons* and *Surgeons*, were ſo imperfect, that there did not, I acknowledge, appear ſufficient Grounds to found a Sentence upon them: The Reader will find in this Tract, the full Subſtance of all thoſe DEPOSI-

TIONS,

TIONS, which were, indeed, the moſt material in the Caſe. Here is farther added, a juſt Tranſlation of the Sentence given in the *Court* of *Arches*, which was confirmed (upon *an* APPEAL) by the *Court* of *Delegates*, a Sentence, in every Part, eſteemed by all Men of Learning, moſt equitable: For, tho' a Cauſe of *Frigidity* and *Impotency* may be juſtly commenced after *Three Years* Cohabitation of the Parties Married, where no *Conſummation* was had, when repeated Endeavours were uſed to that End; and, tho' this plainly appears to be the Caſe here, from the Anſwer of Mr. WELD *himſelf*, from the DEPOSITIONS of *Witneſſes* of great Honour and Credit, containing frequent Complaints made by him of his own *Inability* that Way; from the *Reports* likewiſe of the *Matrons* who inſpected the *Lady*; yet it appearing in the ſame Cauſe, by

the *Report* of very able *Surgeons*, commiſſioned to inſpect the *Huſband*, that he was then, before Sentence given, *able to perform the Act of Generation to all Intents and Purpoſes*; and, moreover, the former Obſtruction and Cauſe of the *Husband*'s not Conſummating his Marriage, being clearly accounted for, by Mr. *Williams*, another skilful Surgeon, and the *Removal* of the *Obſtacle* atteſted by him. The *Court* could not be ſuppoſed to give any other *Sentence* than what they did; for it muſt ever be allowed a ſufficient Reaſon to diſcharge the *Husband* from ſuch Complaints made by his *Wife* againſt him; that, there is, at the Time, an *Ability* to *conſummate* the *Marriage* notwithſtanding any previous Defect.

One Thing more, I beg leave to ſay, That without enquiring into the

the Caſe of Others differently circumſtanced from the preſent, this *Lady* muſt always be eſteemed blameleſs in commencing this Suit, as *ſhe* was herſelf, and her *Husband* likewiſe, a *Roman Catholick*. For it is very well known, that by their Religion, Matrimony is a *Sacrament*; and it is underſtood amongſt thoſe People, that this *Sacrament* is violated by ſuch as continue together in that State, while they are conſcious to themſelves, that they cannot Anſwer the *holy Ends* of MATRIMONY.

Oct. 29. 1733. JOHN CRAWFURD.

The

The following DEPOSITIONS are Supplementary to thoſe printed in the former Part of this *Caſe*. Pag. 29.

DEPOSITION I.

MR. WILLIAMS * depoſed, *Aug.* 10, 1730, That Mr. WELD came to him laſt Summer, and that upon examining the *Penis*, he found the *Frenum* too ſtreight, which he ſet at Liberty, by cliping it with a Pair of Sciſſars; and examining that Part, that Day, again, found nothing amiſs in the Organs of Generation.

DEPO-

* *An eminent Surgeon.*

DEPOSITION II.

LORD ASTON depoſed, that Mr. WELD and Mr. COLCLOUGH being together at his Houſe in *Hertfordſhire*, in *May* 1729, He deſired Mr. COLCLOUGH to ſpeak to Mr. WELD about his *not having conſummated the Marriage with his Daughter.* Mr. COLCLOUGH declared, he had ſpoke to him, and he confeſſed, he had *not conſummated his Marriage with the ſaid Mrs.* WELD; *and*, that he had *ſome outward Defect that was painful to him, and hindered him from conſummating his Marriage.* That Mr. COLCLOUGH had recommended one Mr. WILLIAMS to Mr. WELD, who had cured him; and that the ſaid Mr. WELD told the Deponent, at the Lady

Lady HOWARD's, that Mr. WILLIAMS had *cured him, but that ſome Soreneſs remained; but, he did not doubt but he ſhould be well in a little Time.*

DEPOSITION III.

THE Duke of NORFOLK depoſed, That in *June* 1729, when he talked to Mr. WELD about the Affair, he acknowledged, he had *not conſummated his Marriage with the Honourable* (Mrs. ASTON) *but had adviſed with Phyſicians; and hoped, in a little Time, he ſhould be able to conſummate it.*

LET-

LETTERS

SENT FROM

Mr. WELD, to the Hon. *Catherine Elizabeth*, while ſhe was abſent from his Houſe, and reſided at Lord ASTON's.

LETTER I.

MY DEAR,

NOthing could give me more Satisfaction than your ready Compliance with my Deſire, in regard to your Maid; your not mentioning your Deſign to do ſo, but

referring it, with other Things, to the Time of our Metting, occaſioned the Letter that, I ſuppoſe, you have received upon *Tueſday*. I propoſe now to haſten all Things for my Journey, to enjoy the Satisfaction of your Company that is ſo dear to me, and always ſhall continue to be promoted all that lies in the Power of the Perſon that calls himſelf

Your faithful Husband,

and humble Servant,

Lulworth, Oct. 16. 1728.

E. WELD.

P. S. *My Mother ſends her Bleſſing; my Brother and Siſter their Love.*

LETTER II.

My DEAR,

THE Weather was an Hindrance to me in ſetting out from *Wallington-Park*, ſo ſoon as I deſigned; ſo that I only arrived here *Wedneſday* laſt very ſafe and well. I likewiſe found every body here well, who return their Reſpects to you. I ſhall take the next Poſt, or the following, to return my humble Thanks to my Lord, for the kind Entertainment I met with at *Standon*; but in the mean Time, I deſire you would let him know, that I am ſafely arrived, and am obliged to him for all Favours.

I am, my Dear,
Your affectionate Husband,
and humble Servant,

Lulworth, Saturday, Dec. 14. 1728. E. WELD.

LETTER III.

My Dear,

I Received yours the laſt Week, and am very glad to hear you are all well: My Brother has received yours, which you deſired to know in your laſt: As to the other Things you mention, I deſire that they may be ſent as ſoon as you can. I ſhall wait with Impatience till I hear from you again, that you have received this, and my Lord my laſt. We have had ſome Snow but it is now going away; I ſuppoſe you likewiſe have not been without your Share.

I am, my Dear,

Your humble Servant,

and Husband,

Lulworth, Jan. 6. 1728-9. E. WEL

P. S. *We hear that my Lo* Arundel *is married by this Time* *Town.*

LETTER IV.

My DEAR,

I Received yours today, and I Deſign to ſend you the *old Turky-Cock*, becauſe the young one being bred here, is more acquainted; next Week it will be in Town. It happened very well, that you now ſent, for they wanted Parting after ſo many Battles that they have had at this Seaſon of the Year. I think, I told you, in my laſt, what I would have you to do with the Pamphlets. Pleaſe to return my Thanks to my Lord for his kind Letter: It pleaſes me mightily to find he is ſo Well this Froſty Weather. I hope he has good luck with the *Woodcocks*; if I thought he had not, and they were more plenty here, a Pye, or a Pot

a Pot of them ſhould have been a *Chriſtmas* Remembrance to him.

From, my Dear,

Your humble Servant,

and Husband,

Lulworth, Jan. 11, 1728-9.

E. WELD.

P. S. *My Mother and Siſter preſent their Service to you.*

LETTER V.

My DEAR,

YOURS came to me laſt Week; I hope this will find you well, and my Lord; I was very ſorry to hear from you, that my Lord would be a loſer by the breaking of this Man; but in the End, I hope it will not prove ſo to him, tho' I continue in the ſame Apprehenſions I mentioned to my Lord in my laſt. My Affairs here, which have

have been very troubleſom, and ſomething diſadvantageous, I hope, are now in ſuch a State, that I propoſe to myſelf, the Happineſs of enjoying your Company, upon *Saturday* Sevennight. I ſhould have been glad to have had the Satisfaction of ſeeing the Perſon I ſo much Love before now; but what has deprived me of it, cannot but be a reaſonable Excuſe with you. Colonel *Stroughton* has favoured me with his Company theſe two or three Days, and preſents his Reſpects to you, as do all here.

I am, my Dear,

Your faithful, and

affectionate Husband,

Lulworth, Feb. 3. 1728-9.

E. WELD.

LETTER VI.

My DEAR,

I Arrived here laſt Night; I am ſorry I have diſappointed you in not coming down as tonight, as I propoſed; but I hope, upon *Monday* or *Tueſday* you will ſee me at *Standon*. I left all very well at *Lulworth*, and find my Lady *Howard* ſo here. I leave it to you to excuſe the Trouble I ſhall bring to my Lord, tho' it is with the Satisfaction that I ſhall wait upon his Lordſhip; I hope I ſhall find you in good Health.

I am, my Dear,

Your affectionate Husband,

Ormond-ſtreet, Feb. 15. 1728-9.

E. WELD

LETTER VII.

My DEAR,

I Can with Pleaſure acquaint you, that I arrived here on *Saturday* Night, by the Help of my Uncle's Pad, my own having fell Lame before I came to *Watlington-Park*. I hope my Lord and you keep your Health Well; pleaſe to tell my Lord, the News I wrote him from Town has been confirmed to me by two or three Hands, of which I am very glad, and do Congratulate my Lord upon it. I was ſo happy as to have Mr. *Stroughton*'s Company down to *Watlington-Park*; from whence he deſigns to Travel into the *Weſt*, to take a View of Mr. *Cottington*'s Eſtate, under his Grace of *Norfolk*. My Reſpects and Thanks, wait upon my Lord for the mighty and obliging Recep-

tion I was honoured with at *Standon*.

I am,

Your humble Servant,

and Husband,

Lulworth, March 24, 1728-9.

E. WELD.

LETTER VIII.

My DEAR,

I Had the Pleaſure of receiving your Letter, which removed from me a great deal of Uneaſineſs occaſioned by your not Writing ſo ſoon (after my Lord had acquainted me, that you had been out of Order) as I could Wiſh. I had an Epiſtle from Mr. *Thraffeild* laſt Poſt, concerning the *Chard* * which I hope to ſee here to morrow. In that he acquainted me you were

* *Chard*-Fiſh.

were all well at preſent. I am pretty well recovered of my Illneſs, but Dr. *Mitchel* has been here preſcribing ſomething to my Brother, who has been very much out of Order, tho' now the very Sight of the Phyſician has put him in a fair Way. I am very glad we have found the Neſts of our three *Turkeys*, and in them almoſt one with another twelve Eggs apiece: So that I have a great Proſpect of young *Pouts* againſt the Summer. Theſe are from,

My Dear,

Your humble Servant,

and Husband,

E. WELD.

Lulworth, April 12, 1729.

LETTER IX.

Mr DEAR,

I Have received both your Letters concerning the House-Keeper; you will enquire into her Character, while you are in Town; but I think seven or eight Pounds a Year enough for me to give: If she won't come for that, and you cannot find out another that will, I propose to put *Margaret* to take Care of the House and Linnen, and help to wash at the same Time; for I shall keep only one House Maid, and one Cook. In five or six Weeks Time, I hope you, and the Maid you have provided, will be ready to come down. I propose to be with you before that. *Coſtin*'s Bill was not brought to me before I went out of Town, so I suppose he is uneasy for not being paid soon enough. If you have Money enough

by

by you, I desire you will Discharge him: As to the Church Stuff, I suppose you have made Choice of that you mentioned to me at *Standon*.

I am, my Dear,

Your affectionate Spouse,

Lulworth, April 16, 1729. E. WELD.

LETTER X.

My DEAR,

I Am very much obliged to the Lady *Howard*, that she would please to favour me with a Letter so soon, and I hope mine found her Ladyship well; I am glad to think the Time draws so near of seeing you, for I have now resolved to set out for *Watlington*, on *Thursday* the 15th, and by the End of the next Week to be in *Ormond-Street*.

I should

I ſhould be very glad, my Dear, if you could prevail with my Lord to carry you to Town by that Time, for I want to have his Company, tho' I cannot poſſibly wait upon him at *Standon*; yet if you deſire it, I will do myſelf the Satisfaction to ſee him there for two or three Days, and then return with you to *Lulworth*, without much Stay upon the Road: If you have received any Money from Mr. *Wright*, I deſire you would give it *Standon*. What I did deſign to do, I told you of before; if you cannot prevail with my Lord to come to my Lady's about that Time, let me know at *Watlington-Park*, and then I will wait upon him on *Tueſday* or *Wedneſday*, the 27th or 28th of this Inſtant, and return upon *Saturday*, and ſet out upon *Monday* or *Tueſday*, as you will think fit. If you could order your Affairs ſo, it would look very well

well here, ſince you deſign to live here; and to come down ſo ſoon, would oblige,

My Dear,

Your faithful Huſband,
and humble Servant,

Lulworth, May 14, 1729.

E. WELD.

LETTER XI.

My DEAR,

I Arrived here but yeſterday, and but then received yours. I am ſorry we could not meet in Town this Week, as I propoſed; but tho' my Affairs preſs on ſo much, I ſhall wait upon my Lord upon *Wedneſday* or *Thurſday*, the 28th or 29th, and return to *London* upon *Saturday*, in order to be at *Lulworth* upon *Corpus Chriſti* Eve. I deſire you will finiſh your Affairs, ſo

ſo as to be ready by that Time, ſince your Stay there has been ſo long.

I am, my Dear,
Your humble Servant,
and Huſband,

Watlington-Park,
May 22, 1729.

E. WELD.

P. S. *My Mother ſends you her Bleſſing, my Uncle and Siſter their Reſpects.*

LETTER XII.

My DEAR,

MY Journey was very ſafe to *Watlington-Park*, where I found my Uncle *Simeon* well; he returned his Reſpects to you and my Lord; but, in the Way from thence hither, I was forced to take up with a little Cottage upon the Downs,

Downs, to ſave my ſelf from the hard Rain, which continued for ſeven Hours inceſſantly, there I ſtaid my Stomach till Supper-time, with a Raſher of ruſty *Bacon*, and a Mug of Ale; after that, my Journey was pleaſant, and I arrived here upon *Saturday*. The Houſe-Keeper came upon *Friday*, and pack'd up your Things and ſent them to *Gildon*'s; but ſhe tells me, ſhe can't find the Money, but will look again, if you can gueſs whereabouts it may be.

I am, my Dear,

Your moſt humble Servant,

and Husband,

E. WELD.

Lulworth, Aug. 4. 1729.

LETTER XIII.

My DEAR,

I Was very glad to receive a Letter from you, to put us in a way of finding what you was ſo much concerned about; which it is plain to be ſeen, was only a Miſtake in the Search, ſince ſhe ought to have looked in that Place the firſt. There ſhould have been no need of putting me in Mind to ſearch in the ſtricteſt Manner, and to have ſought out the Offender, as much as if it had a thouſand Times exceeded the Sum, which was found, which I hope comes up to what you expected, and had placed there. I am now concerned for my Brother *Aſton*, ſince you expected him ſo ſoon; I hope he has ſafely paſſed the Water, and before this Time has ſeen my Lord and you.

Pleaſe

Pleaſe, my Dear, to give my Reſpects and Love to him; I wiſh his native Air, and *Engliſh* Phyſicians may perfectly recover him. I imagine upon his Account, my Lord is ſcarce ſet out for *Staffordſhire* yet, tho' it is a Week exceeding his propoſed Time. I deſire my Duty, with all Reſpects to him, and a ſecond Time wiſh him a ſafe Journey.

I am, my Dear,

Your moſt faithful Husband,

and humble Servant,

Aug. 25. 1729. E. WELD.

P. S. *My Reſpects to my Brother* Jemmy *and Mrs.* Mano.

LETTER XIV.

My DEAR,

I Am ſorry to tell you, that an Affair here, I am afraid, will detain me longer than the Time I propoſed; it is what muſt be done before I come to Town. I hope you have taken care to order Mr. *Skinner* to make *Tom* a new Livery; for I dare ſay he is aſhamed to be ſeen with the Cloaths he has on; if you have not thought on it, I deſire you will ſpeak ſoon. I have received ſome Things from the Houſe-Keeper in a readineſs to bring them up to you, which I ſhall endeavour to do with Safety.

I am, my Dear,
Your faithful Husband,
and humble Servant,

Lulworth, Sept. 30. 1729.

E. WELD.

P. S. *My Reſpects where due.*

LETTER XV.

My DEAR,

I Return you Thanks for the Favour of yours, which was very agreeable to me; I hope you continue in good Health, and likewiſe the Family you are with, to whom I preſent my hnmble Reſpects. I ſhall have the Happineſs in a very ſhort Time of ſeeing you. I am ſorry that ſome ſmall Things that required my Sanction, have detained me ſo much longer from you than I could wiſh. The Time of my Return will be towards the End of the next Week, till when I ſhall wait with Impatience.

I am,

Your affectionate Husband,

and humble Servant,

Oct. 27. 1729. E. WELD.

LETTER XVI.

My DEAR,

I Am ſorry I had not the Happineſs to meet you and my Lord here as I expected, which would have taken off ſomething of my Journey in ſeeing you well, ſince my Lady hath acquainted me that you have been ſomething out of Order before you went into the Country; I hope I ſhall have the Pleaſure of finding you, and my Lord, and my Brother well within this Week; but accept this with my Love, till I ſhall find more Time being juſt come to Town, ſince when I have heard that melancholly News of Mr. *Ingleby*'s Death, which is an Occaſion of Grief to me, ſince my Brother *Weld* is left alone at *Paris*. My Lady is well, and preſents her Service, give me leave to preſent mine

mine to my Lord, and my Brother *Aſton*.

I am, my Dear,

Your affectionate Husband,

Nov. 8. 1729. E. WELD.

LETTER XVII.

My DEAR,

WITH your laſt I received a great deal of Satisfaction to find that you and my Lady were well; and my Brother *Aſton* likewiſe, better than you could have expected. I hope the laſt Letters you received out of *Staffordſhire*, left my Lord in good Health, and by this Time thinking of his Return to *London*. I am ſorry my Country Affairs have made it neceſſary for me to remain here ſo much longer than

than the Time I propoſed to be abſent from you; but I hope to return to you about the End of the next Week, when, without fail, you may expect me; in the mean while pleaſe to make my Compliments acceptable to my Lady and Mr. *Saltmarſh*, and welcome them to their new Houſe.

I am, my Dear,

Your moſt dutiful, and

affectionate Husband,

Lulworth, Nov. 29. 1729.

E. WELD.

LETTER XVIII.

My DEAR,

I Am very glad to hear you are pretty well recovered of your Cold, as well as my Lord, to whom my Duty and Reſpects; and pleaſe to inform him, that it ſhall be with the greateſt Pleaſure and Satisfaction to me to comply with his ſo kind Invitation to *Standon*. I never made any doubt, but that thro' my Lord's Goodneſs and Civility ſhewn to me, I ſhould always be received with a Welcome there; but as to your Letter that mentions it, I only received it here, ſince I was ſet out upon that *Monday* for *Brightwell*. I am afraid I muſt ſtay till *Sunday* or *Monday*, before I can pleaſe my ſelf ſo far, as to wait upon my Lord

and you. I desire you will present my Respects to my Brother *Aston.*

I am,

Your affectionate Spouse,

Nov. 11. 1729. E. WELD.

P. S. *I have so far prevailed with my self to have Mr.* Lully *to put me in a better way.*

Dick *brought it.*

LETTER XIX.

My DEAR,

MY Business continuing, I was obliged to surpass the Time I appointed for my Return to you; please to make my Respects and Service

Service acceptable to my Lord, and my Brother. My Lady *Howard* has desired me to acquaint my Lord, that his Letter was received this Afternoon, only upon *Saturday* and *Monday* I was present at the the Tryal of Mr. *Fitzgerald* and Lord *Falconberg*, wherein several Aspersions were laid to my Lord *Aston*, but fully cleared by the Counsellors *Strange*, *Fenwick*, and Another. When I come down, which will be, I hope, the next Week, I shall give you a farther Account.

I am, my Dear,

Your affectionate Husband,

and Servant,

London, Dec. 9. 1729.

E. WELD.

A

LETTER

FROM

Mrs. WELD, to her Husband's Mother.

To Mrs. WELD, *at* Watlington-Park, Oxfordshire.

MADAM,

I Suppose by this Time my Siste is arrived; she has all the good Wishes possible that I am capable of; and if you will do me the Favour to tell me it is done, I will wish her Joy by a Line to her

her my ſelf. I hope you have received my Letter, wherein I was in a true Concern for my Brother, and am very glad to hear it is only an Ague, which I hope is quite gone by this Time. I am extreamly ſorry I could not ſee you before I left *London*, which makes me give you this Trouble, to aſſure you, I would not tell my Lady *Howard*, tho' ſhe preſſed me ſeveral Times to know if I was eaſy at *Lulworth*. I am ſure, Madam, you are very ſenſible to the contrary; and you muſt alſo be *a very good Judge in the Cauſe*, being you never ſeemed eaſy nor contented with any thing: This, Madam, I hope, will convince you I have a true Reſpect for all your Family; I am ſure it was my daily Care, I need not name Particulars, not doubting, you are ſenſible how many Things you have vexed me in; therefore, I hope,

when

when you have conſidered them, you will not think me unreaſonable in deſiring you to take away your Furniture from *Lulworth*, and fix your ſelf in ſome other Place; then, I do promiſe you, I ſhall never deſire to live in any other Place. I am too much convinced, that when one is Married, they are to make That their Home, and I am very willing to do it, if I have no other Perſon to pleaſe than my Mr. WELD. I Conſidered before I was Married, and, tho' I was in great Concern to part with my Papa, I was reſolved to remove that Contradiction and it has been daily more eaſy to me, becauſe it has pleaſed God to give him his Health; but if this is not agreeable to you, then you may eaſily perſuade my Mr. WELD to *live elſewhere*, if you live at *Lulworth*. Mr. WELD's Concerns will not ſuffer any thing, for your former

mer Experience has proved it ſo. This *being only betwixt us, it may be eaſily done without Noiſe, or the World knowing it.* I beg your Anſwer. I am following the Doctor's Preſcriptions; I cannot ſay I am much better; pray preſent my Reſpects to Sir *Ed. Simmons*, and humble Service to all the reſt.

I am, Madam,

Your Dutiful Daughter,

and faithful humble Servant,

Aug. 8. CATHERINE WELD.

The Substance of the CERTIFICATE *of the five* SURGEONS.

THAT they had carefully inſpected the *Parts* of E. WELD, that are deſigned for *Propagation*, and did find them fully and juſtly *proportioned*, and fitly and ſufficiently *formed* for the Act of *Carnal Copulation*; and that it did evidently appear to them, that he was capable of performing every Thing requiſite to the *Propagation* of his *Species*.

Ambr. Dickens, Serj. Surg.
Claud. Amyand.
William Cheſelden.
Alexander Small.
William Green.

The Substance of the Three MIDWIVES *Certificate.*

THAT they are well skilled in the Art and Practice of Midwifery, and have very carefully and diligently inspected the *private Parts* of the Body, of the Hon. *Catherine Elizabeth Weld*, which are naturally designed for *carnal Copulation*; and that to the best of their Skill and Knowledge, she is a VIRGIN, and never had *carnal Copulation* with any MAN whatsoever.

Elizabeth Fisher.
Rebecca Mann.
Mary Baker.

THE SENTENCE IN THIS CAUSE.

IN *the Name of God* Amen. We JOHN BETTESWORTH, Doctor of Laws, Official-Principal of the *Arches Court* of *Canterbury*, *London*, lawfully conſtituted, rightly and duly Proceeding, having heard, ſeen, and underſtood, and fully and maturely diſcuſſed the Merits of a certain Cauſe of Nullity of Marriage, by Reaſon of Impotency and Frigidity, which is controverted, and remains undetermined before us in Judgment, between

between the Hon. *Catherine Elizabeth Weld*, otherwiſe *Aſton*, the Wife of *Edward Weld*, Eſq; of *Lulworth-Caſtle* in *Dorſetſhire*, of the Dioceſe of *Briſtol*, and Province of *Canterbury*, the Party Agent and Complainant on the one Part. And the ſaid *Edward Weld*, Eſq; the Party accuſed and complained of, on the other Part. And the Parties aforeſaid, lawfully appearing before us in Judgment by their Proctors; and the Proctor of the ſaid *Edward Weld*, praying Sentence to be given, and Juſtice to be done to his Party. And the Proctor alſo of the ſaid *Catherine Elizabeth Weld*, earneſtly praying Sentence and Juſtice to be done to his Party. And having firſt carefully and diligently ſearched into, and conſidered the whole Proceedings had, and done, before Us in this Cauſe; and having obſerved All and ſingular the Matters and Things,

that by Law, in this Behalf, ought to be obſerved, in order to give our Definitive Sentence and final Decree in this Cauſe. We have thought fit to proceed, and do proceed, in Manner following, That is to ſay, foraſmuch as We have by the Thing enacted, deduced, alledged, exhibited, propounded, proved, and confeſſed, in this Cauſe, found and clearly diſcovered, that the Proctor of the ſaid *Catherine Elizabeth Weld* hath not ſufficiently and fully founded and proved his Intention, deduced in a certain Libel and other Pleadings, and Exhibits in this Cauſe, admitted on her Behalf, and now preparing in the Regiſtry of this Court (which We take, and will have taken, as if here read and inſerted) but intirely failed in the Proof thereof.

Therefore

Therefore we JOHN BETTESWORTH, Judge aforeſaid, having God before our Eyes, and having heard Counſel in this Behalf, Decree, pronounce, and declare, that the ſaid *Edward Weld* ought to be Diſmiſſed; and to all Intents and Purpoſes of Law, We do Diſmiſs him from all Suit and Action commenced againſt him, by the ſaid *Catherine Elizabeth Weld*, as deduced, ſet forth, and prayed by Her, in her intended Libel aforeſaid; and that the ſaid *Catherine Elizabeth Weld*, alias *Aſton*, ought to be injoined perpetual Silence in the Premiſes; and We do accordingly injoin her Silence, by this our Definitive Sentence, or final Decree, which by theſe Preſents We do promulge.

After

After this Sentence given, Mrs. *Weld* was admoniſhed by the Court to go home to her Husband, and Cohabit with him at Bed and Board, at *Lulworth-Caſtle*, his Manſion-Houſe, and accuſtomed Place of Abode in the County of *Dorſet*.

But, there being an APPEAL from this Sentence to the King, in his High Court of *Delegates*, the Cauſe was Re-heard at *Serjeant's-Inn*, and by the Judges there, the foregoing Sentence, and all other Proceedings of the Dean of the *Arches*, in this Cauſe, were Affirmed.

AN

AN ALLEGATION GIVEN INTO The Court of *Arches*, on Behalf of Mr. WELD, the 12th of *Nov.* 1733.

1. THAT the Marriage between the ſaid *Edward Weld*, Eſq; and the ſaid *Catherine Elizabeth Weld*, formerly *Aſton*, the Parties in this Cauſe, was ſolemnized on the 22d Day of *June*, in the Year of our Lord 1727, and not before.

2. That

2. That after the Solemnization of the ſaid Marriage (to wit) on or about the 20th of *July* 1727, the ſaid *Edward Weld*, and the ſaid *Catherine Elizabeth*, his Wife, went down to the Seat of him, the ſaid *Edward Weld*, at *Lulworth* Caſtle, in the County of *Dorſet*, and there continued, and lived, and cohabited together, until on or about the 26th Day of *October*, then next following, on or about which Day the ſaid *Catherine Elizabeth* went from *Lulworth* Caſtle aforeſaid, to *London*, where ſhe continued for the Space of a Month, or thereabouts, without the Company or Converſation of the ſaid *Edward* her Husband; and for all the ſaid Time, They the ſaid *Edward* and *Catherine Elizabeth*, did not live, cohabit, or lie together.

3. That

3. That about a Month after the ſaid 26th Day of *October*, in the precedent Article mentioned, the ſaid *Edward Weld* went up to *London*, to the ſaid *Catherine Elizabeth Weld*, his Wife, and they returned to the ſaid Habitation of her Husband, the ſaid *Edward Weld*, at *Lulworth-Caſtle* aforeſaid, on or about the 8th Day of *December* following.

4. That in the Month of *June*, 1728, the ſaid *Catherine Elizabeth Weld*, being much indiſpoſed, as to her bodily Health, went from the Seat or Habitation of the ſaid *Edward Weld*, her Husband, at *Lulworth-Caſtle* aforeſaid, and came up to *London*, for Advice of Phyſicians, and continued there, or in the Parts adjacent, for the Space of three Months and upwards (to wit) from the ſaid Month of *June*

until the Month of *October* then next following; and ſhe the ſaid *Catherine Elizabeth*, did live ſeparate and apart from her ſaid Huſband; and for, and during all the ſaid Time, they did not live and co-habit together at Bed and Board.

5. That in *October*, 1728, the ſaid *Catherine Elizabeth* being at the Houſe of her Father, the Right Honourable the Lord *Aſton*, at *Standon*, in the County of *Hertford*, the ſaid *Edward Weld*, her Huſband, went thither to her, and ſtayed there with her about three Weeks, and applied to her, and deſired her to go home with him, and told her, that his Affairs required his Preſence in the Country; but ſhe refuſing to go Home with him, he the ſaid *Edward* returned to *Lulworth-Caſtle* aforeſaid, leaving the ſaid *Catherine Elizabeth* at

at *Standon* aforeſaid; and, during that Time, he the ſaid *Edward Weld*, was at *Lulworth-Caſtle* aforeſaid alone, and continued there, without the Company of his ſaid Wife, until the Beginning of *February* following.

6. That towards *Lent*, or about the Beginning of *February*, $172\frac{8}{9}$, the ſaid *Edward Weld* went to his ſaid Wife, then at her Father's Houſe aforeſaid, and then again applied, and deſired her to go Home with him to their Habitation at *Lulworth-Caſtle* aforeſaid; but he the ſaid *Edward* continued at *Standon* aforeſaid, expecting his ſaid Wife would have returned with him to *Lulworth-Caſtle* aforeſaid; but finding ſhe would not, he the ſaid *Edward* did return to *Lulworth-Caſtle* aforeſaid alone, and there continued, without the Company of the ſaid *Catherine Elizabeth*,

his Wife, until the Month of *May*, 1729.

7. That in the Month of *May*, 1729, he the ſaid *Edward Weld*, hoping to prevail with the ſaid *Catherine Elizabeth* his Wife, to return with him to their Habitation at *Lulworth-Caſtle* aforeſaid, went to her, then at her Father's Houſe at *Standon* aforeſaid, where he continued for about the Space of a Week, and then the ſaid *Edward* and *Catherine Elizabeth* came to *London* together to the Right Honourable the Lady *Howard*, of *Worksop*, then in *Red-Lion-Square*, for the Space of five Weeks or thereabouts, and then the ſaid *Edward* earneſtly preſſed and importuned his ſaid Wife to go home to *Lulworth-Caſtle* aforeſaid, which ſhe refuſed; and thereupon he the ſaid *Edward* applied to the Lord *Aſton*, her Father, aforeſaid, and

not

not prevailing with him by Intreaties, to cauſe his ſaid Daughter to return home with him the ſaid *Edward* her Husband, did, in a ſerious and ſolemn Manner, demand her of her Father, and required ſhe ſhould go home with him, which he abſolutely refuſed, and would not ſuffer his ſaid Daughter to go home with the ſaid *Edward Weld*, her Husband, to *Lulworth-Caſtle* aforeſaid.

8. That at ſeveral Times, and more particularly at the Time mentioned in the preceeding Article, when the ſaid *Edward Weld* deſired, and earneſtly requeſted, the ſaid *Catherine Elizabeth*, his Wife, to go home with him to *Lulworth-Caſtle* and cohabit there with him, as by Law ſhe ought to do, the only Reaſon then ſuggeſted and pretended by her to him the ſaid *Edward Weld*, for not cohabiting with

with him there, was, that her Mother was ſtill reſident in his Family, and continued to live with him, notwithſtanding ſhe the ſaid *Catherine Elizabeth* had wrote a Letter to his ſaid Mother to forbid her the Houſe in very peremptory Expreſſions, without the Conſent or Knowledge of the ſaid *Edward Weld*, her Huſband, conſequent to which, the ſaid *Edward Weld* did not hinder the Effect of the ſaid Letter, and his Mother, Brother, and Siſters, thereupon did remove from his Seat of *Lulworth-Caſtle* in or about the Month of *May* 1729, that there might not be any Uneaſineſs upon that Account; and that ſhe the ſaid *Catherine Elizabeth*, might not have any the leaſt Pretence for not cohabiting with him at his own Houſe, as by Law ſhe ought to do; and ſo much the ſaid *Catherine Elizabeth Weld* very well knew,

and

and was imformed of; notwithſtanding which, ſhe refuſed to go down with him to *Lulworth-Caſtle*, and cohabit with him there, as by Law ſhe ought to do.

9. That the ſaid *Edward Weld*, finding he could not prevail with the ſaid *Catherine Elizabeth*, his Wife, to go home with him to their Habitation at *Lulworth-Caſtle* aforeſaid, his the ſaid *Edward*'s Affairs requiring his Preſence there, he the ſaid *Edward*, in the Month of *July* 1729, was obliged, and did return to *Lulworth-Caſtle* aforeſaid, where he continued alone, without the Company and Converſation of his ſaid Wife, until the latter End of *November* following, his ſaid Wife continuing at her Father's, the ſaid Lord *Aſton*'s Houſe, at *Standon* aforeſaid.

10. That

10. That in or about the latter End of *November* 1729, the ſaid *Edward Weld* being deſirous, and hoping he might prevail with the ſaid *Catherine Elizabeth*, his Wife, to return home with him to *Lulworth-Caſtle* aforeſaid, did, about the latter End of *November* 1729, aforeſaid, go to the Houſe of the ſaid Lord *Aſton* at *Standon* aforeſaid, where his ſaid Wife then was, and there he the ſaid *Edward* continued for the Space of about three Weeks, and then intreated and deſired her to go with him, but finding he could not prevail with his ſaid Wife to go home with him, left her at her ſaid Father's Houſe, and came to *London*, where he continued, without the Company and Converſation of his ſaid Wife, until after *Chriſtmas* Holidays then next following, and now laſt paſt; and from the Time of his leaving *Stan-*

don

don, as aforeſaid, to this very Time, he the ſaid *Edward* hath not ſeen the ſaid *Catherine Elizabeth*, his Wife.

11. The Party proponent, for Supply of the Proof of the Premiſes of the eighth Article of this Allegation, and to all other Intents and Purpoſes in Law whatſoever, doth exhibit and hereunto annex the original Letter, in the ſaid Article mentioned, marked (A), * and doth alledge the ſaid Letter to be totally wrote, ſubſcribed by, and with the proper Hand of the ſaid *Catherine Elizabeth Weld*, and that the ſaid Letter was ſent by the General-Poſt to, and received by, the ſaid Mrs. *Margaret Weld*, in the Month of *Auguſt* 1728; and doth farther alledge, That, *my Mr. Weld*, in the ſaid Letter mentioned, and *Catherine Weld*, by whom the ſaid Letter was wrote,

I ſub-

* See Page 36.

ſubſcribed, and ſuperſcribed, and *Edward Weld*, and *Catherine Elizabeth Weld*, Parties in this Cauſe, are the ſame Perſons, and not divers; and doth alſo alledge, that Mrs. *Weld*, to whom the ſaid Letter is directed, and the Party proponent's Mother in the ſaid Article mentioned, is the ſame Perſon and not divers.

AN

AN ALLEGATION GIVEN INTO The Court of *Arches*, on Behalf of Mrs. WELD, the 19th of *Jan.* 1730.

1. THAT the ſaid *Catherine Elizabeth Weld*, alias *Aſton*, being ſomewhat indiſpoſed in her Health, did, at the Deſire of her Husband, the ſaid *Edward Weld*, or, at leaſt, by and with his Conſent, on or about the 23d Day of *October* 1727, the Time mentioned in the ſecond Article of the Allegation, admitted in this

Cauſe, on the Behalf of the ſaid *Edward Weld*, begin her Journey from *Lulworth-Caſtle*, in the County of *Dorſet*, for *London*, in order to take Advice of Phyſicians, as to ſuch her Indiſpoſition ; . that the ſaid *Edward Weld* did accompany her, Part of the ſaid Journey, as far as *Saliſbury*, and the ſaid *Edward* and *Catherine Elizabeth* lay together there all Night in one and the ſame Bed, and dined there together the Day following.

2. That the ſaid *Edward Weld* ſoon after (to wit, on or about the 21ſt Day of *November* following) came to *London*, to his ſaid Wife, and they, the ſaid *Edward Weld* and the ſaid *Catherine Elizabeth*, from that Time lived together at the Houſe of —— *Scabown* in *Great Ormond-Street*, and lay together there, in one and the ſame Bed, * *Solus cum ſola & nudus cum nuda,*

* *Alone and Naked.*

nuda, until the 4th Day of *December* following.

3. That the ſaid *Edward* and *Catherine Elizabeth* went together from the ſaid *Scabown*'s Houſe, in *Great Ormond-Street*, upon the ſaid 4th Day of *December*, for *Lulworth-Caſtle*, and arrived there upon the 8th Day of the ſaid Month, and from that Time, until the 6th Day of *July* following, lived together at *Lulworth-Caſtle*, and for, and during, all the ſaid Time, lay together in one and the ſame Bed, *Solus cum ſola & nudus cum nuda.*

4. That the ſaid *Catherine Elizabeth Weld*, being again indiſpoſed in her Health, did again, at the Deſire of the ſaid *Edward Weld*, or at leaſt by, and with, his Conſent and Good-liking, upon the ſaid 16th Day of *July* 1728, and not before, begin her Journey for

for *London*, in order to take the Advice of Phyſicians for ſuch her Indiſpoſition: That the ſaid *Catherine Elizabeth*, at the ſaid Time, went in the ſaid *Edward Weld*'s Coach from *Lulworth-Caſtle* to *London*, and the ſaid *Edward Weld* did again accompany her, as far as *Saliſbury*, Part of her Journey; and the ſaid *Edward* and *Catherine Elizabeth* lay together, the ſame Time, all Night, at *Saliſbury*, in one and the ſame Bed, *Solus cum ſola & nudus cum nuda*; And the ſaid *Catherine Elizabeth* did get to *London* upon the 18th Day of the ſaid Month, and not before.

5. That during the Time of Abſence of the ſaid *Catherine Elizabeth* from the ſaid *Edward Weld* the ſame Time, which was from the 17th Day of *July* 1728, until the 6th Day of *November* following, the ſaid *Catherine Elizabeth*, after

after ſhe had ſtaid ſome ſhort Time at the Lady *Howard*'s Houſe in *Ormond-Street*, to take the Advice of Phyſicians for ſuch her Indiſpoſition, lived with her Father, the Lord *Aſton*, partly at *Standon* in *Hertfordſhire*, and partly with his Lordſhip at *Tixel* in *Staffordſhire*, and the ſaid *Edward Weld* was privy and conſenting to the ſame; that during the Time of ſuch her Abſence, the ſaid *Edward Weld* correſponded with her by Letter, and promiſed, from Time to Time, that he would come to her, but did not at any one Time, during the Time the ſaid *Catherine Elizabeth* lived apart from the ſaid *Edward*, which was from the ſaid 17th Day of *July* 1728, till the 6th Day of *November* following, go to viſit her the ſaid *Catherine Elizabeth*, nor ask or deſire the ſaid *Catherine Elizabeth* to come to him to *Lulworth-Caſtle*,

Caſtle, or ſhew any Inclination for her to come there to him.

6. That towards Supply of Proof of the Premiſes in the foregoing Article, and to all other Intents and Purpoſes in Law whatſoever, the Party proponent doth exhibit, and hereunto annex, a Letter, marked N°. 1, * beginning thus (to wit) *My Dear, nothing could give me more Satisfaction*, and ending thus (to wit) *All that lies in the Power of the Perſon that* calls himſelf *your faithful Huſband and humble Servant*, and ſubſcribed *E. W.* and dated *Lulworth, October* the 16th 1728; which Letter, Subſcription and Date, the Party proponent doth alledge, to be all of the proper Hand-writing of the ſaid *Edward Weld*, Party in this Cauſe, and ſo known to be by the Perſons who have ſeen him write, and are well acquainted with his Manner

* See Page 9.

Manner and Character of Hand-writing, and was ſent by him to the ſaid *Catherine Elizabeth*, during the Time ſhe was at the Lord *Aſton*'s Houſe the ſaid Time.

7. That upon the ſaid 6th Day of *November* 1728, the ſaid *Edward Weld* came to *London* to the Houſe of the Right Honourable the Lady *Howard* in *Ormond-Street*, where the ſaid *Catherine Elizabeth* then was; and there being no Conveniency for his lying there that Night, he went away, and returned to her there the next Day, where he cohabited with her at Bed and Board until the 12th Day of the ſaid Month of *November*; and they the ſaid *Edward Weld* and *Catherine Elizabeth*, went to *Standon* in the County of *Hertford*, the Seat of the Right Honourable the Lord *Aſton*, and there the ſaid *Edward* and *Catherine Elizabeth* cohabited

together, at Bed and Board, for upwards of three Weeks; and then the ſaid *Edward Weld*, pretending to have Buſineſs at *Lulworth-Caſtle*, left the ſaid *Catherine Elizabeth* at the ſaid Lord *Aſton*'s Houſe, and promiſed to return to her there as ſoon as he had ſettled his Affairs at *Lulworth-Caſtle*; that during the Time, the ſaid *Edward Weld* cohabited the ſaid Time with her the ſaid *Catherine Elizabeth*, at the ſaid Lady *Howard*'s Houſe, and at the ſaid Lord *Aſton*'s Houſe, he the ſaid *Edward* did not once ask or deſire the ſaid *Catherine Elizabeth* to go with him home to *Lulworth-Caſtle*, or take any Notice, either to the Lady *Howard*, or the Lord *Aſton*, or any of their Families, of any Intentions, or Deſire he had of taking her with him, or of having her come to him there.

8. That

8. That the ſaid *Catherine Elizabeth* continued at the ſaid Lord *Aſton*'s Houſe, with the Good-liking, Conſent, and Approbation of the ſaid *Edward Weld*, until his Return to her there, which was on or about the 18th Day of *February*, 1728; and the ſaid *Edward Weld*, and *Catherine Elizabeth* did, during the Time of ſuch their Abſence from each other, correſpond together by Letters, in a loving and affectionate Manner; and in ſome of the ſaid Letters, the ſaid *Edward Weld* did excuſe himſelf to the ſaid *Catherine Elizabeth* from ſuch his Abſence from her, and promiſed to return to her, as ſoon as he had ſettled his Affairs.

9. That for a Supply of Proof of the Premiſes, in the two foregoing Articles, and to all other

Intents and Purpoſes in Law whatſoever, the Party proponent doth exhibit, and hereunto annex, ſeveral original Letters, marked No. 2, 3, 4, 5, 6, which the ſaid *Edward Weld* wrote and ſent to the ſaid *Catherine Elizabeth*, in the Time of ſuch his Abſence from her, mentioned in the two foregoing Articles; and doth alledge, that the whole Series of all the ſaid ſeveral Letters, marked No. 2, 3, 4, 5, 6, and the ſeveral Subſcriptions thereto, and Dates thereof, to be all of the proper Hand-writing of the ſaid *Edward Weld*, and ſo known and believed to be, by Perſons who have ſeen him write, and are well acquainted with his Manner and Character of Hand-writing, and that the ſame were ſent by him to the ſaid *Catherine Elizabeth*; and that by the Words, *My Dear*, wrote at the Top of the ſaid ſeveral Letters, he the ſaid

Edward

Edward Weld did mean and intend the ſaid *Catherine Elizabeth*, Party in this Cauſe.

10. That on or about the ſaid 18th Day of *February*, 1728, the ſaid *Edward Weld* came to the ſaid *Catherine Elizabeth*, then at the ſaid Lord *Aſton*'s Houſe in *Hertfordſhire*, and lived with her there at Bed and Board until on or about the 20th Day of *March* following, and did not at any Time, during the ſaid Time, aſk or deſire the ſaid *Catherine Elizabeth* to go home with him then to *Lulworth-Caſtle*, or mention the ſame, or ſhew any Inclinations of his intending to take the ſaid *Catherine Elizabeth* home with him then to *Lulworth-Caſtle*, either to the ſaid *Catherine Elizabeth*, or to her Father the Lord *Aſton*, or to any of the Family, but promiſed to return again to the ſaid *Catherine Eliza-*

Elizabeth to the ſaid Lord *Aſton*'s Houſe.

11. That on or about the ſaid 20th Day of *March* 1728, and not before, the ſaid *Edward Weld* left the ſaid *Catherine Elizabeth* at the ſaid Lord *Aſton*'s Houſe, and went to *Lulworth-Caſtle*, and did not return to the ſaid *Catherine Elizabeth* till on or about the 28th Day of *May* following; that the ſaid *Catherine Elizabeth*, during ſuch the Time of his Abſence, continued at the ſaid Lord *Aſton*'s, with the Good-liking, Conſent, and Approbation of the ſaid *Edward Weld*, until the Time of his ſaid Return; and the ſaid *Edward Weld*, and *Catherine Elizabeth*, during the Time of ſuch their Abſence from each other, correſponded by Letters in a loving and affectionate Manner; and in one of the ſaid Letters which the ſaid

Edward

Edward Weld wrote, and ſent to the ſaid *Catherine Elizabeth*, in ſuch his Time of Abſence from her, to wit, on or about the 16th Day of *April* 1729, and not before, he the ſaid *Edward Weld* did propoſe, to the ſaid *Catherine Elizabeth*, to be ready, in five or ſix Weeks Time, to go along with him to *Lulworth-Caſtle*, and in ſuch Letter did propoſe to be with her at the Lord *Aſton*'s Houſe aforeſaid, before that Time.

12. That for Supply of Proof of the Premiſes in the two foregoing Articles, and to all other Intents and Purpoſes in Law whatſoever, the Party proponent doth exhibit, and hereunto annex ſeveral original Letters, marked N°. 7, 8, 9, 10, 11, which the ſaid *Edward Weld* wrote, and ſent to the ſaid *Catherine Elizabeth*, in ſuch the Time of his Abſence from her,

and doth alledge, that the whole Series of all the ſaid Letters, marked No. 7, 8, 9, 10, 11, and the ſeveral Subſcriptions thereto, and Dates thereof, to be all of the proper Hand-writing of the ſaid *Edward Weld*, and ſo known and believed to be, by Perſons who have ſeen him write, and are well acquainted with his Manner and Character of Hand-writing, and that the ſame were ſent by him to the ſaid *Catherine Elizabeth*; and that by the Words, *My Dear*, wrote at the Top of the ſaid ſeveral Letters, he the ſaid *Edward Weld* did mean and intend the ſaid *Catherine Elizabeth*, Party in this Cauſe.

13. That the ſaid *Edward Weld*, on or about the ſaid 28th Day of *May* 1729, came to the ſaid *Catherine Elizabeth Weld*, alias *Aſton*, then at the Lord *Aſton*'s at *Standon* aforeſaid

aforesaid, and there continued with her till the 7th Day of *June* following, within which Time the said *Edward Weld* did ask the said *Catherine Elizabeth* to go home with him to *Lulworth-Castle*, and the said *Catherine Elizabeth* consented to the same, and agreed to go with him any Time he should think fit; and then the said *Edward Weld* and *Catherine Elizabeth*, on the 7th Day of *June*, went to the said Lady *Howard*'s House in *Ormond-Street*, where they cohabited together at Bed and Board till the 29th Day of *June* following, and the said *Catherine Elizabeth* was duly in Expectation, all the said Time, of going along with him to *Lulworth-Castle*, and of his fixing a Time for their Journey; but the said *Edward Weld* did not at any Time, during the said Time they so cohabited together, at the said Lady *How-*

ard's Houſe, once aſk or deſire the ſaid *Catherine Elizabeth* to go home with him to *Lulworth-Caſtle*, or fix any Time for their Journey; but inſtead of ſo doing, did, upon the ſaid 29th Day of *July*, begin his Journey for *Lulworth-Caſtle*, without the ſaid *Catherine Elizabeth*, and left the ſaid *Catherine Elizabeth* at the ſaid Lady *Howard*'s Houſe, and deſired her to continue there till his Return to her in three Weeks Time, or thereabouts.

14. That the ſaid *Catherine Elizabeth* cohabited with the ſaid *Edward Weld* at the ſaid Lady *Howard*'s Houſe in *Ormond-Street*, at the eſpecial Requeſt and Deſire of the ſaid *Edward Weld*, or, at leaſt, by and with his good Liking and Conſent, and continued at the ſaid Lady *Howard*'s Houſe, and at the ſaid Lord *Aſton*'s in *Hertfordſhire*, until

until his Return to her, which was not till on or about the 17th Day of *November* following, with the like good Liking and Conſent of the ſaid *Edward Weld*.

15. That the ſaid *Edward Weld*, and *Catherine Elizabeth*, during the ſaid Time from the ſaid 29th of *July* 1729, to the 17th of *November* following, did correſpond together by Letters after a very affectionate Manner; and the ſaid *Edward Weld*, in ſome of the Letters he ſent to her during the ſaid Time, did promiſe, from Time to Time, to return to her, and excuſed himſelf for not returning to her by the Time he propoſed to her, when he parted from her.

16. That for a Supply of Proof of the Premiſes, of the Three foregoing Articles, and to all other Intents and Purpoſes in Law what-

ſoever, the Party proponent doth exhibit, and hereunto annex, ſeveral Original Letters, marked No. 12, 13, 14, 15, 16, 17, 18, which the ſaid *Edward Weld* wrote and ſent to the ſaid *Catherine Elizabeth*, at or about the reſpective Times of the Dates thereof, and doth alledge, that the whole Series of all the ſaid Letters, marked No. 12, 13, 14, 15, 16, 17, 18, and the ſeveral Subſcriptions thereto, and Dates thereof, to be all of the proper Hand-writing of the ſaid *Edward Weld*, and ſo known and believed to be, by Perſons who have ſeen him write, and are well acquainted with his Character and Manner of Hand-writing, and that the ſame were ſent by him to the ſaid *Catherine Elizabeth*; and that by the Words, *My Dear*, wrote at the Top of the ſaid ſeveral Letters, he the ſaid *Edward Weld* did mean and intend

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the ſaid *Catherine Elizabeth*, Party in this Cauſe; and that the ſaid Letter, marked No. 18, was wrote and ſent by the ſaid *Catherine Elizabeth*, on or about the 11th Day of *November* 1729, at which Time the ſaid *Edward Weld* was at the ſaid Lady *Howard*'s Houſe in *Ormond-Street*, and had been there for a Week, or nine Days, before, improving himſelf upon the Harpſicord, with the Aſſiſtance of Mr. *Lally*, a Muſic-Maſter, mentioned in the Poſtſcript of the ſaid Letter.

17. That on or about the ſaid 17th Day of *November*, 1729, the ſaid *Edward Weld* came to the ſaid *Catherine Elizabeth*, then at the ſaid Lord *Aſton*'s Houſe, and continued to live with her there, and lay together, in one and the ſame Bed, *Solus cum ſola, & nudus cum nuda*, till the firſt Day of *December* following,

following, and then the ſaid *Edward* pretending to have Buſineſs in *London*, went thither, and did not aſk the ſaid *Catherine Elizabeth* to go with him, but promiſed to return again ſoon to her at the ſaid Lord *Aſton*'s Houſe; but not coming ſo ſoon as he had promiſed, did ſend a Letter of Excuſe to her, dated upon the 9th of *December* 1729, and did not return to her till on or about the 20th Day of the ſaid Month, and, from that Time, continued to live with her there till the 8th Day of *January* following, and lay in one and the ſame Bed, *Nudus cum nuda, ſolus cum ſola*: That within the laſt mentioned Time, to wit, on or about the laſt Day of *December*, the ſaid *Edward Weld* did tell the ſaid *Catherine Elizabeth*, that he intended, in two or three Days, to go to *Lulworth-Caſtle*, and did then aſk the ſaid *Catherine Elizabeth* if

ſhe

ſhe would not go with him; that ſhe the ſaid *Catherine Elizabeth* did not then refuſe to go with the ſaid *Edward Weld*, or tell him that ſhe would not go with him to *Lulworth-Caſtle*; but conſidering that it was in the Winter, and a bad Time for Travelling, ſhe did aſk him, *How he did think her Father would like it, or approve of her taking ſo long a Journey in that Seaſon of the Year*; and the ſaid *Edward Weld* did not, after that Time, during his Stay at the ſaid Lord *Aſton*'s Houſe, mention any thing to the ſaid *Catherine Elizabeth* about her going with him to *Lulworth-Caſtle*, or taking any Notice to the Lord *Aſton*, or any of the Family, that he was deſirous of having her go with him there.

18. That for Supply of Proof of the Premiſes in the foregoing Article, and to all other Intents

Intents and Purpoſes of Law whatſoever, the Party proponent doth exhibit, and hereunto annex the ſaid Letter, dated the 9th Day of *December* 1729, marked N°. 19, and doth alledge, that all the ſaid Letter, Subſcription thereto, Date thereof, and Superſcription thereon, is all of the proper Hand-writing of the ſaid *Edward Weld*, and ſo known and believed to be, by Perſons who have ſeen him write, and are well acquainted with his Character and Manner of Hand-writing, and that the ſaid *Edward Weld* did, on or about the Date thereof, ſend the ſame by the General Poſt, as directed to the ſaid *Catherine Elizabeth Weld.*

19. That the ſaid *Edward Weld* did, on or about the 8th Day of *January* 1729, leave the ſaid *Catherine Elizabeth* at the ſaid Lord *Aſton*'s Houſe, and came to *London*

to the Lady *Howard*'s Houſe aforeſaid, where he ſtayed for three or four Days, within which Time the ſaid *Edward Weld* did acquaint the ſaid Lady *Howard*, that he was going to *Lulworth-Caſtle*, and had aſked his Wife to go with him, who had given him no direct Anſwer; and thereupon the ſaid Lady *Howard* told the ſaid *Edward Weld*, that, *She believed the Lord* Aſton *had been with Counſel, adviſing about his not having conſummated his Marriage, which might be the Reaſon of her giving him no poſitive Anſwer*; and the ſaid Lady *Howard* did then tell the ſaid *Edward Weld*, that, *He would do well if he would adviſe with Counſel alſo, concering the ſame*; to which the ſaid *Edward Weld* replied, that *There was no Occaſion for That*; *for altho' they did not Bed or Lye together* (meaning himſelf, and the ſaid *Catherine Elizabeth*) *they might live together*

as Brother and *Sister*; and that was all he desired, as the said *Edward Weld* did then express himself, or to the same Effect and Purpose.

20. That during all the Time the said *Edward Weld* and *Catherine Elizabeth* lived together, and cohabited at the said Lord *Aston*'s, and the said Lady *Howard*'s, as in the preceeding Article is mentioned, he the said *Edward Weld* was received and entertained by them with great Kindness and Civility; and she the said *Catherine Elizabeth* behaved herself towards him in a very dutiful Manner; and he the said *Edward Weld*, some short Time before his going to *Lulworth-Castle*, as in the preceeding Article is mentioned, was very kindly invited by the said Lord *Aston*, as also by the said Lady *Howard*, to continue and live at their respective Houses

Houſes with the ſaid *Catherine Elizabeth.*

21. That ſoon after the Premiſes, to wit, on or about the third Day of *February*, mentioned in the 13th Article of this Allegation, he the ſaid Lord *Aſton* did write and ſend a Letter to the ſaid *Edward Weld*, then at *Lulworth-Caſtle*, and therein did again invite him to come and reſide with his Wife at his the ſaid Lord *Aſton*'s Houſe, where he might have a more eaſy Recourſe for the beſt Advice and moſt proper Remedies, to enable him to conſummate his Marriage, than he could have at *Lulworth-Caſtle*, being ſo great a Diſtance from *London*, or the ſaid Lord *Aſton* did write and ſend a Letter to the ſame Effect to the ſaid *Edward Weld*; which Letter the ſaid *Edward Weld* did receive, but the ſaid *Edward Weld* did not ſend any

Anſwer to the ſaid Letter to the ſaid Lord *Aſton*.

22. That in or about the Month of *June* 1729, the ſaid *Edward Weld* being ſenſible of his own Inability to conſummate his Marriage, did, in Diſcourſe with the ſaid *Catherine Elizabeth*, tell the ſaid *Catherine Elizabeth*, that, *It would ſignify nothing to adviſe with Surgeons or Phyſicians, for that, in another Year, they muſt part Beds* (meaning thereby, when Three Years after the Time of his pretended Marriage were expired) at which the ſaid *Catherine Elizabeth* being much ſurpriſed, ſaid, *What, part Beds!* He the ſaid *Edward* did make Anſwer, that, *They could not in Conſcience do otherwiſe*, or expreſſed himſelf to the ſame Effect and Purpoſe.

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AN ALLEGATION GIVEN INTO The Court of *Arches* on Behalf of EDWARD WELD, Esq; *July* 14, 1731.

1. THAT *Edward Weld*, Esq; Party in this Cause, is a Person of the Age of twenty-six Years, and has all the Parts of his Body which constitute a Man perfect and intire, and more particularly those Parts which Nature formed and designed for Propagation of his Species, and the Act of carnal Copulation, in full and just

juſt Proportion, and was and is capable of carnally-knowing the ſaid *Catherine Elizabeth Weld* his Wife, or any other Woman, and ſo much the ſaid *Catherine Elizabeth Weld* knows and believes to be true.

2. That within the Space of twelve Months, or thereabouts, after the Solemnization of the Marriage between the ſaid *Edward* and the ſaid *Catherine Elizabeth*, ſhe the ſaid *Catherine Elizabeth* being out of Order, as breeding Women uſually are, did ſeriouſly, and in a grave Manner, ſay and declare to *Margaret Weld*, Mother to the ſaid *Edward Weld*, and others, *That ſhe did not know, for certain, whether ſhe was not a Breeding.*

AN ALLEGATION GIVEN INTO The Court of *Arches*, on Behalf of Mr. WELD, the 3d of *Nov.* 1731.

1. THAT during the Time mentioned and ſet forth in the ſecond Article of an Allegation given in, and admitted, on the Part and Behalf of the Party proponent, *Edward Weld*, Eſq; in this Cauſe, and alſo in the fourth Article of the Libel, given in, and admitted in this Cauſe, on the Part and Behalf of *Catherine Elizabeth*

zabeth Weld, the Party in this Cauſe, the Privy-Members of the ſaid *Edward* were often turgid, diluted, and erected, in ſuch Manner as is uſual and neceſſary to perform the Act of carnal Copulation; and ſo much was obſerved and taken Notice of by, and well known to the ſaid *Catherine Elizabeth*, the Party in this Cauſe; and the ſaid *Edward* did, at all ſuch Times, endeavour to conſummate his ſaid Marriage, and did, ſeveral Times, conſummate the ſame, by carnally-Lying-with, and Knowing, the ſaid *Catherine Elizabeth* his Wife.

N. B. This *Fact* the LADY denies. *Her Anſwers* to all her *Huſband's Allegations*, are in the former Part of theſe Proceedings, publiſhed by me,

JOHN CRAWFURD.

FINIS.